THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2825 of 2007

Date: 02.03.2007

Between:

S.Ibrahim.

....Petitioner

And

The Agricultural Market Committee, Kurnool, Opp. New Bus Stand, Kurnool, Kurnool District rep., By its Secretary.

....Respondent

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2825 of 2007

O R D E R:

Petitioner claims that he has been granted lease in respect of shop No.25 of the Vegetable Market at Kurnool, way back in the year 1998. According to him, the licence was renewed in the year 2003, for a period of five years. His grievance is that the respondent has permitted several non-licensees and lessees of other shops, to undertake business activity in front of his shop. The petitioner claims that he made several representations to the respondent for taking necessary action and complains that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

The petitioner has placed before this Court, a copy of the order, through which his licence was renewed, for period of five years, in the year 2003. He does not make any grievance that the respondent has obstructed with the business in the leased premises. The grievance of the

petitioner is that some traders without licence and lessees of other shops are doing business in front of his shop. The relief, in such a situation, can be granted, only after verification of disputed facts. It is difficult for this Court to undertake such an exercise in a Writ Petition filed under Article 226 of the Constitution of India. The petitioner can certainly move the competent civil Court and obtain necessary relief.

For the foregoing reasons, the Writ Petition is disposed of, leaving it open to the petitioner, to work out his remedies in a civil Court. At the same time, the respondent shall also endeavour to ensure that the business of the petitioner is not obstructed by any unauthorised persons. There shall be no order as to costs.

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02.03.2007

Note: Issue C.C tomorrow.

(B/o)

JSU